

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Lawanda Adams-Kiel, et al.,

Plaintiffs

v.

Governor Richard D. Snyder, et al.,

Defendants

Case No:

Hon:

**PLAINTIFFS' MASTER SHORT FORM COMPLAINT
AND JURY DEMAND**

Plaintiff(s) incorporate by reference Plaintiffs' Master Long Form Complaint and Jury Demand filed in *In Re Flint Water Cases* in the United States District Court for the Eastern District of Michigan, filed as No. 116 on the Master Docket. Pursuant to the Court's Order permitting Plaintiffs to file a Master Complaint for the Individual Flint Water Cases, the following Short Form Complaint encompasses Plaintiff(s)' claims as adopted from the Master Long Form Complaint in the above-captioned action.

Plaintiff(s) select and indicate by checking boxes where requested, parties and claims specific to this case. As necessary, Plaintiff(s) include: (a) additional claims against the Defendant(s) listed in paragraph 1, which are set forth in paragraph 10, and the supporting facts for which are alleged in paragraph 12 or on

an additional sheet attached to this Short Form Complaint; and/or (b) claims plead against additional defendants not listed in the Master Long Form Complaint, which are set forth in paragraph 13 and the supporting facts for which are alleged in paragraph 14 or on an additional sheet attached to this Short Form Complaint.

Plaintiffs, by and through their counsel, allege as follows:

I. DEFENDANTS

1. Plaintiff(s) name the following Defendants in this action [check only those that apply]:

- ☒ Governor Richard D. Snyder
- ☒ The City of Flint, a municipal corporation
- ☒ Receivership Transition Advisory Board
- ☒ Darnell Earley
- ☒ Howard Croft
- ☒ Michael Glasgow
- ☒ Gerald Ambrose
- ☒ Jeff Wright
- ☒ Edward Kurtz
- ☒ Dayne Walling
- ☒ Daugherty Johnson
- ☒ Liane Shekter-Smith
- ☒ Daniel Wyant
- ☒ Stephen Busch
- ☒ Patrick Cook
- ☒ Michael Prysby
- ☒ Bradley Wurfel
- ☒ Eden Wells
- ☒ Nick Lyon
- ☒ Nancy Peeler
- ☒ Robert Scott

- ☒ Adam Rosenthal
- ☒ Andy Dillon
- ☒ Lockwood Andrews & Newnam, P.C.
- ☒ Lockwood Andrews & Newnam, Inc.
- ☒ Leo A. Daly Company
- ☒ Rowe Professional Services Company, f/k/a Rowe Engineering, Inc.
- ☒ Veolia North America, LLC
- ☒ Veolia North America, Inc.
- ☒ Veolia Water North America Operating Services, LLC
- ☐ Veolia Environmental, S.A.

2. The above-named defendant(s) are sued in those capacities outlined in the Master Complaint. They are named jointly and severally.

II. PLAINTIFFS

3. Plaintiff(s): See Exhibit "A"

4. If brought on behalf of Plaintiff by another person, capacity (*i.e.*, administrator, executor, guardian, conservator, etc.): See Exhibit "A"

5. Plaintiff's State of Residence: See Exhibit "A"

III. FLINT WATER EXPOSURE

6. (If alleging personal injury) Plaintiff(s) lived in Flint, Michigan from approximately See Exhibit "A" until See Exhibit "A". If more than one Plaintiff is named on this Short Form Complaint, list each additional Plaintiff's period of residency in Flint on an additional sheet, or check the box below if the period of residency is the same for all named Plaintiffs.

☐ Period of Residency in Flint is the same for all named Plaintiffs.

7. (If alleging property damage) Plaintiff(s) owned property in Flint, Michigan from approximately See Exhibit "A". If Plaintiff(s) owned more than one property in Flint, list each additional property, as well as the dates the property was owned, on an additional sheet. For each property, state which plaintiff owned which property.

8. (If alleging economic loss) Plaintiff(s) owned a business in Flint, Michigan from approximately N/A until N/A at the following address: N/A. If Plaintiff(s) owned more than one business in Flint, list each additional business, as well as the dates the business was owned, on an additional sheet.

IV. INJURIES

9. Plaintiff(s) allege(s) the following injury(ies) (and subcategory of injur(ies) as a result of use of and/or exposure to Flint River Water:

- ☒ Personal injury
 - ☒ Lead Poisoning
 - ☐ Legionella
 - ☐ Other (please specify below or on additional sheet)

- ☒ Property damage
- ☒ Economic loss
- ☒ Emotional damage

V. CLAIMS/COUNTS

10. The following claim(s) asserted in the Master Long Form Complaint, and the allegations with regard thereto in the Master Long Form Complaint, are adopted in this Short Form Complaint by reference:


- ☒ Count I: 42 U.S.C. §1983 – 14th Amendment, Substantive Due Process – State Created Danger
- ☒ Count II: 42 U.S.C. §1983 – 14th Amendment, Substantive Due Process – Bodily Integrity

- ☒ Count III: 42 U.S.C. §1983 – 5th and 14th Amendments, Equal Protection of the Law – Race Based
- ☒ Count IV: 42 U.S.C. §1983 – 5th and 14th Amendments, Equal Protection of the Law – Wealth Based
- ☒ Count V: 42 U.S.C. §1985(3) – Invidious Racial Animus
- ☒ Count VI: MCL 37.2302 – Violation of Public Service Provisions of ELCRA
- ☒ Count VII: Breach of Contract
- ☒ Count VIII: Breach of Implied Warranty
- ☒ Count IX: Nuisance
- ☒ Count X: Trespass
- ☒ Count XI: Unjust Enrichment
- ☒ Count XII: Gross Negligence
- ☒ Count XIII: Intentional Infliction of Emotional Distress
- ☒ Count XIV: Negligent Infliction of Emotional Distress
- ☒ Count XV: Punitive Damages
- ☒ Count XVI: Professional Negligence (LAN PC, LAN Inc. and LAD)
- ☒ Count XVII: Professional Negligence (Rowe)
- ☒ Count XVIII: Professional Negligence (Veolia LLC, Veolia Inc., Veolia Water and Veolia S.A.)
- ☐ Count XIX: Fraud (Veolia LLC, Veolia Inc., Veolia Water and Veolia S.A.) If alleging fraud, state with specificity the allegations supporting the cause of action (use an additional sheet if necessary):

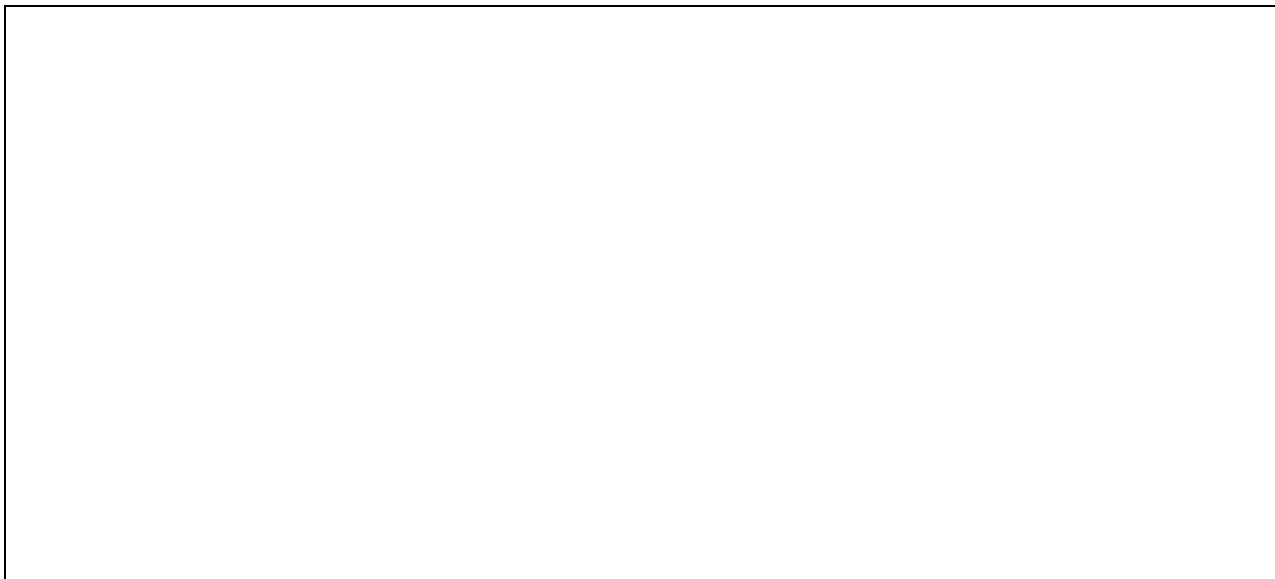
- ☒ Count XX: Violation of Safe Water Drinking Act – Notification Requirements (City of Flint and Richard D. Snyder)
 - ☒ (Required if alleging Violations of Safe Water Drinking Act)
Notice of Claim filed on: 02/27/2017 (mm/dd/yyyy).
- ☒ Count XXI: Violation of Safe Water Drinking Act – Requirement to Operate Optimal Corrosion Control (City of Flint and Richard D. Snyder)
 - ☒ (Required if alleging Violations of Safe Water Drinking Act)
Notice of Claim filed on: 02/27/2017 (mm/dd/yyyy).
- ☒ Count XXII: Violation of the Comprehensive Environmental, Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601
- ☐ Count XXIII: Others [Specify Below]

11. Unless otherwise noted, the above-checked Claims/Counts are only applicable to those Defendants against whom each Claim/Count referenced in the Master Long Form Complaint applies to therein.

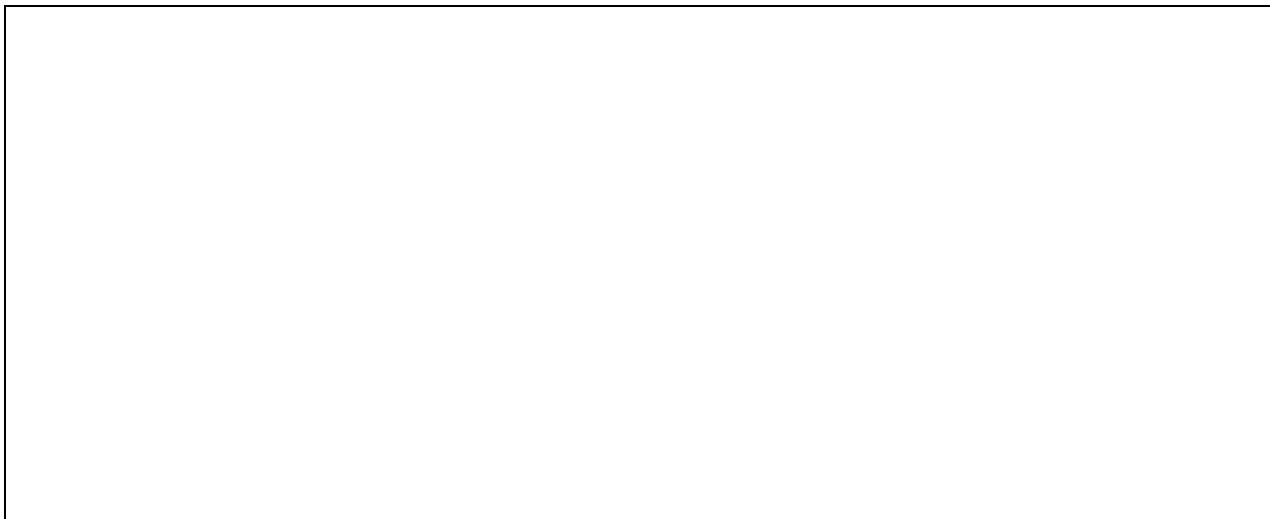
12. If additional claims against the Defendants identified in the Master Long Form Complaint are alleged in paragraph 10, the facts supporting these allegations must be pleaded. Plaintiff asserts the following factual allegations against the Defendants identified in the Master Long Form Complaint:



13. Plaintiffs assert the following additional claims and factual allegations against other Defendants (must name defendant and its alleged citizenship):



14. If additional Defendants are identified in paragraph 13, the facts supporting these allegations must be pleaded. Plaintiff asserts the following factual allegations against the Defendants identified paragraph 13:



WHEREFORE, Plaintiffs pray for relief as set forth in the Plaintiffs' Master Long Form Complaint in *In Re* Flint Water Cases in the United States District Court for the Eastern District of Michigan.

Dated: May 4, 2018

/s/ Hunter J. Shkolnik